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8 UNITED STATES DISTRICT COURT
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10 NORTHERN DISTRICT OF CALIFORNIA
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12 RAUL AGUILAR, ADAN INFANTE, EDGAR) Case No. C07-00272 JL
13 MARTINEZ, DAVID ORTEGA,)
14 CUAUHTEMOC PALMA, HUGO PARDO,)
15 MARCO PARDO, ISMAEL PARRA,)
16 EDUARDO PEREZ, ROSALIO PEREZ,)
17 MIGUEL RIOS, and DOES 1-10, inclusive,)
18 Plaintiffs,)
19 vs.)
20 RUMI CONSTRUCTION, a sole proprietorship)
of HAMID GHAZANFARI; AMANA)
21 ENGINEERING & CONSTRUCTION, INC.;)
AMERICAN CONTRACTORS INDEMNITY)
CO.; OAKLAND UNIFIED SCHOOL)
22 DISTRICT, and DOES 1-10, inclusive,)
Defendants.)
23
24 Plaintiffs and all defendants submit the following Joint Case Management Conference
Statement, requesting that the Case Management Conference scheduled for November 28, 2007
be rescheduled to December 10, 2007, while the parties work out the details of a Settlement
Agreement disposing of all claims in this matter.
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26 Plaintiffs and defendant Amana Engineering and Construction, Inc. reached agreement in
early October on a dollar figure which will settle all claims in this case. Significant procedural
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CASE MANAGEMENT
STATEMENT AND [PROPOSED]
ORDER

CMC Date: November 28, 2007
Time: 10:00 A.m.
Courtroom: F, 15th Floor

Judge: Honorable James Larson

DEMAND FOR JURY TRIAL

Plaintiffs and all defendants submit the following Joint Case Management Conference Statement, requesting that the Case Management Conference scheduled for November 28, 2007 be rescheduled to December 10, 2007, while the parties work out the details of a Settlement Agreement disposing of all claims in this matter.

Plaintiffs and defendant Amana Engineering and Construction, Inc. reached agreement in early October on a dollar figure which will settle all claims in this case. Significant procedural

needed to be worked out, and the parties are presently working on a settlement agreement which, if successful, all parties will execute. The remaining issue to be worked out among the parties is the resolution of claims among defendants. Plaintiffs have informed defendants that if this issue is not resolved – either within the settlement agreement or expressly reserving those claims outside the agreement -- within the next two weeks, they will be forced to recommence litigation.

Pursuant to this tentative agreement, the parties have agreed to suspend all discovery and pleading obligations, including defendants' obligation to respond to Plaintiffs' Second Amended Complaint, and to respond to Plaintiffs' Motion for an Order enjoining "summary proceedings" under California Labor Code Section 3201. Pursuant to Plaintiffs' request, the Court took this motion off calendar after the parties' last Case Management Conference Statement, which asked that the Case Management Conference then scheduled for October 17, 2007 be rescheduled to accommodate the settlement negotiation process.

Accordingly, all parties jointly request the Court to reschedule a Case Management Conference for December 10, 2007, with the hope and expectation that this Conference can be taken off calendar due to the filing before that time of a Settlement Agreement providing for a dismissal of all claims, counterclaims and interpleader motion.

Nov. 20, 2008: _____ /s/

Philip C. Monrad
Counsel for Plaintiffs

Nov. 20, 2008: _____ /s/

Walter Scott
Counsel for Defendant AMANA
Engineering & Construction, Inc.

Nov. 20, 2008: _____ /s/

Meredith Brown
Counsel for Defendant
Oakland Unified School District

Nov. 20, 2008: _____ /s/

Charles J. Phillipps
Counsel for Defendant
American Contractors Insurance Co.

Nov. 20, 2008: _____ /s/

Paul Simpson
Counsel for Defendant Hamid Ghazanfari, dba Rumi Construction

PURSUANT TO STIPULATION, SO ORDERED. Further Case Management Conference scheduled for ~~December 10, 2007~~ Dec 12, 2007 @ 10:30 a.m.

DATED: November 26, 2007


Honorable James Larson
U.S. Magistrate Judge

PROOF OF SERVICE

I am employed in Alameda County, California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 1330 Broadway, Suite 1450, Oakland, California 94612. On November 20, 2007, I served the following document:

CASE MANAGEMENT STATEMENT AND PROPOSED ORDER

I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which sent notification of such filings to the following:

Meredith Elayne Brown meredithbrown@bryantbrownlaw.com

Mahmoud Abouzeid, Jr. abouzeid@abouzeidlaw.com

Marwan Ahmed Harara marwanharara@hotmail.com

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I served the foregoing document by electronic mail to the following:

Diana J. Cavanaugh djcesq@aol.com

William McInerney whm@mcinerney-dillon.com

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Oakland, California, on November 20, 2007

/s/ Kris Paschall